

# How do I find out who is investigating a complaint?

Contact DCCEL offices in the following areas:

## Eastern DCCEL Offices

**Spokane DCCEL**  
(509) 363-3309  
(Ferry, Stevens, Pend Oreille, Spokane, Lincoln, Whitman, Asotin counties)

**Wenatchee DCCEL**  
(509) 667-6057  
(Chelan, Douglas, Grant, Okanogan, Adams counties)

**Yakima DCCEL**  
(509) 225-6272  
(Yakima, Kittitas, Klickitat counties)

**Kennewick DCCEL**  
(509) 736-2877  
(Benton, Franklin, Columbia, Walla Walla, Garfield counties)

## Southwest DCCEL Offices

**Vancouver DCCEL**  
(360) 993-7946  
(Clark, Cowlitz, Skamania, Wahkiakum counties)

**Olympia DCCEL**  
(360) 725-6663  
(Thurston, Grays Harbor, Pacific, Lewis counties)

## Northwest DCCEL Offices

**Seattle DCCEL**  
(206) 721-6939  
(Seattle, North King county)

**Bellevue DCCEL**  
(425) 649-4079  
(East King counties)

**Kent DCCEL**  
(253) 372-5929  
(South King county)

**Everett DCCEL**  
(425) 372-5929  
(South King county)

**Mount Vernon DCCEL**  
(360) 416-7463  
(Skagit county)

**Tacoma DCCEL**  
(253) 983-6403  
(Pierce counties)

**Bremerton DCCEL**  
(360) 475-3594  
(Kitsap, Mason, Clallam, Jefferson counties)

**Who do I call if I have further concerns?**  
DCCEL Licensing Field Manager (Yakima, Tacoma and Bellevue office listed above)  
Economic Services Administration Constituent Relations, 1-800-865-7801

To obtain this publication in alternative format, please contact the Department of Social and Health Services ADA Coordinator at (360)902-7914.

No person, because of race, color, national origin, creed, religion, sex, age, or disability, shall be discriminated against in employment, services or any aspect of the programs' activities.



# Child Care Complaint Process

What happens when there is a complaint about a Child Care Home or Center?



FROM:

Please staple or tape when mailing.

STAMP

# Child Care Complaint Process

This brochure explains what happens when Children's Administration Intake receives complaints about child care facilities. The Division of Licensed Resources Child Protective Services (DLR/CPS) staff or the Division of Child Care and Early Learning (DCCEL) licensors may investigate complaints, depending on the nature of the complaint.

## Complaint

When someone is concerned about a situation in a licensed family home child care, child care center or school age center, they can call the local Division of Children and Family Services (DCFS) office or dial 1-866-END HARM, to make a referral. (1-866-363-4276)

## Child Care Providers

Child care providers may be contacted after someone complains to **Children's Administration Intake** about a situation in a licensed facility.

## What happens next?

All complaints are entered in the Department of Social and Health Services Children's Administration computer system for tracking. After the information is entered into the computer system complaints are then called referrals.

The DCCEL licensor, the DLR/CPS worker or both will investigate the complaint referral, depending on the nature of the complaint, i.e., whether the complaint alleges a licensing violation has occurred (DCCEL investigates) or alleges child abuse or neglect (DLR/CPS investigates). In some cases, both DCCEL and DLR/CPS will investigate the allegation.

## What determines if the complaint is investigated by CPS or DCCEL?

DLR/CPS staff investigates allegations of child abuse and neglect in child care facilities. These include allegations of:

- |                            |                            |
|----------------------------|----------------------------|
| <b>Sexual Abuse</b>        | <b>Physical Abuse</b>      |
| <b>Exploitation</b>        | <b>Sexual Exploitation</b> |
| <b>Negligent Treatment</b> |                            |
| <b>or Maltreatment</b>     |                            |

DCCEL staff investigate referrals regarding violations of licensing rules in child care facilities or referrals about a person who is providing unlicensed child care. These include allegations of:

- |                                  |                              |
|----------------------------------|------------------------------|
| <b>Safety and Health Hazards</b> | <b>Mistreatment</b>          |
| <b>Supervision Problems</b>      | <b>Over-Capacity</b>         |
| <b>Accidental Injury</b>         | <b>Unlicensed Child Care</b> |
| <b>Excessive Discipline</b>      | <b>Provider Fraud</b>        |

## If DLR/CPS determines the referral should be investigated, based on their criteria, what happens next?

DLR/CPS Investigators:

- Notify the DCCEL licensor, who will assess and investigate for alleged licensing violations.
- Notify the parents or guardian and the child care provider of the referral. (In most circumstances, the child care provider is notified during an unannounced visit to the child care facility.)
- Conduct interviews with possible child victims, witnesses, the child care provider and others relevant to the referral.
- Review the licensing file and may review provider files and policies.
- Complete the investigation within 45 days, unless the DLR/CPS supervisor determines more time is needed to thoroughly investigate.
- Determine if the allegation is found to be child abuse and/or neglect as defined by law (RCW 26.44) and rules (WAC 388-15-009).
- Notify the provider, parent, licensor and other concerned parties of the findings after the investigation is completed.

If DLR/CPS staff determine that the evidence supports that you Abused or Neglected a child in your care, you are entitled to a departmental review of the outcome. If the reviewer agrees with the determination that abuse or neglect occurred, you are then entitled to an Administrative Law Hearing to dispute the finding in a legal setting.

If DLR/CPS staff determine that you did not Abuse or Neglect a child in your care, but you are unsatisfied with the process you may submit a written response to the allegations. This response letter will be kept in the licensing record for future reference.

It is important that you understand that even if DLR/CPS staff determines that you did not Abuse or Neglect a child in your care, it may be necessary for your licensor to continue working with you around licensing violations that may have become apparent during the investigation. If serious licensing violations were found to have occurred, it may be necessary for your licensor to take action against your license. If DCCEL finds it necessary to take action against your license we will notify you by certified letter informing you of any decision to place your license on a no-referral status, or to deny, suspend or revoke your license.

You have the right to appeal any decision we make to place your license on a no-referral status or to deny, suspend or revoke your license.

Your right to appeal and the procedures for that process are outlined in RCW 43.20A.205 and 74.14.130, chapter 34.05 RCW and chapter 388-02 WAC and the licensing regulations governing your child care facility.

## If the referral is determined to be a licensing investigation only (child abuse and neglect is not alleged) and is investigated by DCCEL, what is the procedure?

Actions a licensor may take during an investigation include:

- Making an unannounced visit to the child care home or center.
- Observing at the child care home or center.
- Reviewing provider files and/or records.
- Interviewing staff, parents, other interested parties.
- Sending a notice letter to an unlicensed provider.
- Contacting other involved agencies regarding their role in an investigation (for example, Assistant Attorneys General, Department of Health, Fire Marshal, USDA Food Program, Office of Special Investigation, Operations Review, Prosecuting Attorneys, Division of Fraud Investigations, etc.)

### THE LICENSOR IS RESPONSIBLE FOR THE FOLLOWING:

- Inform the provider about the investigation proceedings, within disclosure guidelines.
- Describe concerns and issues clearly and respectfully.
- Offer open communication and accept provider feedback.
- Offer technical assistance.
- Consult with the Office of Foster Care Licensing staff when the facility has a dual license.
- Complete the investigation within 90 days unless the supervisor extends the time limit.

## What does DCCEL do when the investigation of the referral is completed?

- DCCEL will inform the person making the complaint, if requested, and the child care provider of the results of the investigation and actions taken as a result of the investigation.
- DCCEL will notify child care resource and referral to lift the no-referral status, if appropriate, if the provider was placed on no-referral status during the investigation.
- The licensor will issue a plan of correction to the provider if licensing violations are found and it appears the causes of the violation can be remedied. Licensors may monitor the facility to ensure compliance with the plan.
- The licensor may take licensing action, if the plan is not successful, or if the past history of non-compliance or the immediate situation warrants such action. This may include imposing fines, changing the license status, revoking or suspending the facility license.